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C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 001612

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STATE FOR SA/INS  
LONDON FOR POL - GURNEY  
NSC FOR MILLARD

E.O. 12958: DECL: 08/23/2013

TAGS: [PGOV](#) [PTER](#) [PHUM](#) [NP](#) [GON](#)

SUBJECT: NEPAL: GOVERNMENT NEGOTIATOR GLUM ON PROSPECTS  
FOR PEACE, MULTI-PARTY COOPERATION

REF: A. KATHMANDU 1586

[B](#). KATHMANDU 1577

[C](#). KATHMANDU 0860

Classified By: AMB. MICHAEL E. MALINOWSKI. REASON: 1.5 (B,D).

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SUMMARY  
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[1](#). (C) In an August 25 meeting with the Ambassador, Kamal Thapa, Information Minister and a Government of Nepal's (GON) negotiator with the Maoists, appeared pessimistic about prospects for dialogue after the August 17-19 round of talks (Refs A-B). The Maoists rejected, among other things, a GON suggestion to establish a ceasefire monitoring mechanism at the district level. Thapa also expressed trepidation that the mainstream political parties' plans for a joint protest against the GON, scheduled to begin on September 4, could turn violent. End summary.

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PROSPECTS FOR DIALOGUE:  
"ALMOST FINISHED"  
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[2](#). (C) On August 25 the Ambassador met with Information Minister Kamal Thapa, a member of the Government of Nepal (GON) two-man negotiating team, for a read-out on the August 17-19 round of talks (Refs A-B). The Maoist negotiators seemed to come to the talks with "a predetermined notion" of their outcome, Thapa said, and rejected the GON's political proposals "outright." Given the Maoists' flat refusal to discuss anything other than GON acceptance of the constituent assembly--which the GON is not prepared to do--Thapa said he has "concluded that the prospects for dialogue are almost finished."

[3](#). (C) Thapa described the GON negotiators' frustration at being unable to identify any middle ground for discussion during the two sessions. The GON side tried to persuade its Maoist counterparts first to draft an agenda for subsequent talks and then find some common ground for initial discussions, he said, but the Maoists refused to entertain the suggestion. The Maoist talk team seemed to have no mandate to talk about anything beside the constituent assembly, Thapa commented, and responded to each GON overture with the same mantra. For example, the GON side offered to address Maoist concerns about the 13-man monitoring committee appointed during the May 9 round under the previous government (Ref C), Thapa said, and had prepared draft guidelines that provided for monitoring at the district and local levels. Their insurgent interlocutors dismissed the idea, saying the monitors are irrelevant in the present situation. Thapa quoted Maoist negotiator Bhattarai as declaring that GON rejection of the proposed constituent assembly would mean war--thereby precluding the need for monitors--while GON acceptance would mean an immediate end to the conflict--and thus no need for monitors. The GON team then proposed a referendum on the constituent assembly, a suggestion that the insurgents rejected as a royalist ploy.

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MAOISTS TERM PARTIES IRRELEVANT;  
1990-STYLE DEMOCRACY TO BE DESTROYED  
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[4](#). (C) Maoist negotiators demanded to know if the GON talk team had been empowered to discuss the future of the monarchy, Thapa reported. The GON talk team, noting that the Maoists had not included that topic on the agenda, nonetheless asked the insurgents to elaborate on their vision of the role of the constitutional monarchy and the political parties. According to Thapa, the Maoist negotiators scoffed at the notion of giving the parties a role, claiming that they are unable to influence the outcome of the talks and that they would have to abide by whatever the Maoists decide to do. As for the monarch, the Maoists reportedly committed to giving him a "place" according to the "level of his sacrifice" in ceding authority. When asked about the

sovereignty of the Nepali people, which the GON team described as one of the gains of the 1990 democracy movement, the Maoists would only answer that the goal of their movement was to destroy the old regime to create a new one that would not be based on the 1990 "people's movement."

15. (C) Bhattarai ended the talks by issuing an ultimatum, Thapa said: Unless the GON comes up with a new proposal (to consider the constituent assembly), "we'll consider the ceasefire over." Given the Maoists' uncompromising stance, Thapa concluded, prospects for dialogue are not good. The GON has no problem with the constituent assembly per se, Thapa stressed. The important question is to identify the Maoists' motives and objectives behind their demand. Because their interpretation of multi-party democracy is not the same as the GON's, the Maoists will use the constituent assembly to sideline legal political forces, he predicted. The Maoists want to use the proposed constituent assembly only as a way to grab power for themselves, he continued, while the GON is trying to incorporate all political forces in a negotiated political accord. Why are the Maoists so confident? he wondered. Who is backing them? The Ambassador noted the August 20 arrest of Maoist Central Committee member Chandra Gajurel by Indian authorities in Chennai as a positive sign. Thapa thanked the U.S. Embassy for its August 23 press statement urging the peace process to continue, adding that the Indians, EU, and Japanese had also made recent helpful statements.

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PEACE SECRETARIAT HELPFUL;  
HUMAN RIGHTS ACCORD EXTRANEOUS  
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16. (C) The newly established Peace Secretariat played a useful role during the August 17-19 round, Thapa said, adding that it helped produce, for the first time, signed minutes and signed press statements for both sessions. The GON has no objection to signing the human rights accord proposed by the National Human Rights Commission (along with the UNHRC), Thapa said, especially since the GON is already legally bound to observe a number of international human rights treaties that it has signed in the past. The GON does object, however, to signing an agreement at the same nominal political level as the Maoists, he said, adding that the GON has already told the National Human Rights Commission that it is prepared to sign a separate, stand-alone document. "We still want to save the process. We don't want to be seen as blocking it," he concluded.

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RECALCITRANT PARTIES TO RESUME AGITATION  
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17. (C) The GON remains unable to persuade leaders of the mainstream political parties to join it, Thapa said. He reported having just met with Madhav Kumar Nepal, General Secretary of the Communist Party of Nepal - United Marxist

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Leninist (UML), to try to forestall an anti-GON protest the parties have planned to begin on September 4. (Note: The King, who left Nepal for medical treatment in the UK on August 24, is not scheduled to return until o/a September 7. End note.) The parties have threatened to bring workers from all over the country into the capital to "paralyze the state machinery," Thapa noted, and have promised that the upcoming agitation (presumably in contrast to earlier, less enthusiastically received demonstrations) will be of indefinite duration and "final and decisive." He said that Nepal did not listen to his arguments that the protest would serve only to benefit the Maoists by keeping the legal, pro-democracy forces divided, even though Nepal has "even less faith" in the Maoists than the GON. He expressed fear that the agitation could turn violent, especially if the Maoists infiltrate the protesters. The GON must take a stand if the protests turn unruly or it will risk appearing weak, he stated, adding that the parties and the GON seem headed for a confrontation.

18. (C) The Ambassador emphasized that the GON must respect the parties' right to free and peaceful assembly. Given the very real possibility of Maoist infiltration--and thus violence--he said the Embassy will engage with the democratic political leaders to urge prudence and restraint. The GON must be careful not to over-react, he cautioned; that could only make matters worse. Noting that the parties and the GON stand for the same principles (constitutional monarchy, multi-party democracy, popular sovereignty, human rights), he asked why the parties could not endorse a common statement with the GON to uphold such values. Despite these common aims, the parties are "not ready" to be seen as supporting the GON, Thapa said, preferring instead to subvert it through street protests. The parties maintain the current government is illegitimate because the King appointed it, even though in practice the King has granted the GON full executive authority, Thapa asserted. For example, the GON itself

drafted the political reform proposals presented to the Maoists during the last round; the King only approved the final draft.

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COMMENT  
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19. (C) In private, all of the political party leaders we contact admit that they and the GON share the same main principles, as well as a common adversary--the Maoists. Sadly, however, having common interests is not enough to secure unity of purpose in Nepal's contentious political environment. The parties' decision to resume protests against the GON, following so quickly on the disappointing third round of talks and increasing violations of the ceasefire (septel), seems intentionally designed to put additional pressure on a government already under the gun. We will continue our efforts to persuade political party leaders to direct their democratic energies toward acting in the best interests of the country.

MALINOWSKI